

Notice of Allowability

Application No.

10/749,729

Examiner

Charles E. Phillips

Applicant(s)

HUMBER, JEFFREY A.

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to paper 10/12/05.
2. ☒ The allowed claim(s) is/are 1-12 and 14-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jester on 11/23/05.

The application has been amended as follows: claims 1 and 11 have been rewritten as appearing on the attached sheet III. Claim 20 has been canceled.

Any inquiry concerning this communication should be directed to Charles E. Phillips at telephone number 571-272-4893.


Charles E. Phillips
Primary Examiner

Clean Proposed Allowable Claims

1. A closet flange for coupling the base of a toilet to a drain pipe, comprising:
2 a main generally cylindrical body portion dimensioned for connection to the upper end
4 of a drain pipe and having a through bore formed by an inner wall of the cylindrical body portion
for communicating with the interior of the drain pipe;
6 an attachment flange portion extending radially outwardly from an upper end of the
cylindrical body portion and configured for connecting to the base of a toilet;
8 a knockout temporarily attached to the inner wall of the cylindrical body portion for
sealing the through bore and removable by breaking away a peripheral edge of the knockout at
a junction with the inner wall of the cylindrical body portion; and
10 a retainer extending radially inwardly from the inner wall of the cylindrical body portion
below the region where the knockout is attached and having an inner diameter smaller than an
12 outer diameter of the knockout to prevent the knockout from falling down the through bore when
broken away, the through bore having a diameter below the retainer which is larger than the
14 outer diameter of the knockout.

11. A closet flange, comprising:
2 a plastic cylindrical body portion dimensioned for solvent welding around the outside of
a standard smaller size diameter plastic drain pipe, or within the inside of a standard larger size
4 diameter plastic drain pipe, and having a through bore formed by an inner wall of the cylindrical
body portion for communicating with the interior of the drain pipe;
6 a plastic attachment flange portion extending radially outwardly from an upper end of
the cylindrical body portion and configured for connecting to the base of a toilet;
8 a plastic knockout attached to the inner wall of the cylindrical body portion for
temporarily sealing the through bore and removable by breaking away a peripheral edge of the
10 knockout at a junction with the inner wall of the cylindrical body portion, the knockout having
an outer diameter less than a diameter of the through bore of the cylindrical body portion; and
12 a plastic retainer in the form of an annular lip extending radially inwardly from the inner
wall of the cylindrical portion below the knockout and having an inner diameter smaller than the
14 outer diameter of the knockout to prevent the knockout from falling down the through bore when
broken away and to form a downwardly facing surface opposing a butt end of the standard
16 smaller size drain pipe.

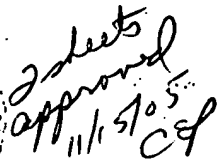


FIG. 4